

**REMARKS**

Claim 1 and withdrawn claim 28 are amended herein by incorporating the subject matter of claim 31. Claim 1 and withdrawn claim 28 are further amended by limiting the definition of R<sup>2</sup>. Support is found in the original claims.

Claims 6, 24, 27 and 29-31 are canceled herein without prejudice or disclaimer.

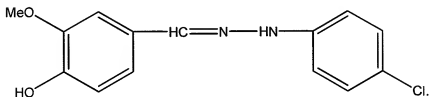
No new matter is presented.

Upon entry of the Amendment, claims 1, 10, 14, 28, and 32-35 will be all of the claims pending in the application. Of these, claim 28 is withdrawn from consideration. Rejoinder of claim 28 is respectfully requested.

**I. Election/Restrictions**

The Examiner has acknowledge Applicant's election without traverse of Group I and the further election of the compound of Example 3 (4-pyridinecarboxyaldehyde 4-(oxazole-5-yl)phenylhydrazone).

The Examiner further indicates that the elected species compound has been found allowable and, in accordance with the provisions of MPEP § 803.02, the search has been expanded to the following compound:



According to the Examiner, claims 1, 6, 10, 14, 24, 27 and 29-34 have been examined to the extent that they are readable on the elected embodiment, the elected species and the species

identified above and claims 7, 28 and 35 have been withdrawn from further consideration as being drawn to non-elected subject matter.

## II. Response to Claim Objection

Claims 1, 6, 10, 14, 24, 27 and 29-34 are objected to as containing non-elected subject matter. The Examiner states that claims drawn solely to the elected embodiment would overcome this objection.

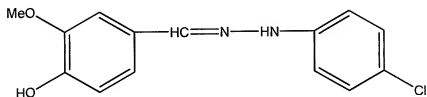
Claims 6, 24, 27 and 29-31 are canceled herein, thereby rendering the rejection moot as to these claims.

Applicants respectfully submit that the remaining claims as amended are not anticipated nor rendered obvious by the art of record nor is the elected species anticipated or rendered obvious by the art of record as discussed below. Thus, Applicants submit that the present claims should be examined in accordance with the provisions of MPEP § 803.02.

Accordingly, Applicants respectfully request withdrawal of the objection to the claims.

## III. Response to Rejection under 35 U.S.C. §102

Claims 1, 6 and 14 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Graziani (abstract) which discloses the compound:



which, the Examiner states, corresponds to Applicants' instant invention wherein R<sup>1</sup> is hydrogen; R<sup>2</sup> is phenyl substituted with 2 substituents from Group (A), i.e. alkoxy and hydroxyl; R<sup>3</sup> is hydrogen; Ar is phenylene; X is a single bond and G is halogen, specifically Cl.

Applicants traverse the rejection.

Without conceding the merits of the rejection, claim 1 is amended herein by limiting the definition of R<sup>2</sup> and by incorporating the subject matter of claim 31 with respect to the definition of G. Thus, the above-identified compound is not within the scope of amended claim 1 and therefore the claimed invention is not anticipated by the cited reference. Further, there is no apparent reason to modify the disclosure of the reference with a reasonable expectation of success in achieving the claimed invention.

Claim 6 is canceled herein, thereby rendering the rejection moot as to this claim.

Claim 14 depends from claim 1 and is patentable over the cited art for at least the same reasons.

Accordingly, Applicants respectfully request withdrawal of the anticipation rejection under 35 U.S.C. § 102.

Applicants further note that claims 10, 29-30, and 32-35 depend directly, or indirectly from claim 1, read on the elected invention and are patentable for at least the same reasons as claim 1.

Claim 28 is amended to be commensurate in scope with claim 1 and rejoinder of claim 28 is respectfully requested.

#### IV. Allowable Subject Matter

Claim 34 is objected to as being dependent upon a rejected base claim, but it is indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 34 depends from claim 1 and is patentable for at least the same reasons.

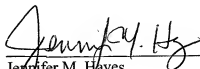
Accordingly, Applicants respectfully request withdrawal of the objection.

#### V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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